



METHFESSEL & WERBEL

A Professional Corporation

The request for an extension of deadlines is granted. The Amended Case Management Plan will be entered by separate order.

Date: 4/8/25

SO ORDERED.

LEWIS J. LIMAN
United States District Judge

April 4, 2024

VIA ECF

Honorable Lewis J. Liman, U.S.D.J.

United States District Court for the Southern District of New York

US Courthouse 40 Foley Square

New York, NY 10007-1581

RE: **CATLIN INSURANCE VS. CHAMP CONSTRUCTION, ET AL.**

Our File No. : 94407a SME
Docket No. : 1:24-CV-4499

Dear Judge Liman:

This office represents Plaintiff Catlin Insurance Company in the above-referenced matter. With consent of certain parties, Catlin is presenting an Amended Case Management Plan and Scheduling Order ("Amended Scheduling Order") for the Court's approval. Although noted in the Plan, there are certain issues we would like to highlight for the Court.

First, Defendants Gilsanz Murray Stefciak LLP and GZA Geoenvironmental, Inc. do not consent to the Amended Scheduling Order at this time as both parties filed a motion to dismiss or alternatively, a stay of this action as a result of the underlying claim filed in State Court.

Defendant ACE Property and Casualty Insurance Company ("ACE") also does not consent to this Amended Scheduling Order. Rather, ACE proposed the following dates:

-Requests for Production:	04/18/25	-Depositions:	07/25/25
-Initial Interrogatories:	04/18/25	-Fact Discovery:	08/08/25
-Sup. Interrogatories:	05/18/25	-Expert Reports:	08/22/25
-Requests to Admit:	06/27/25	-Rebuttal Reports:	09/22/25

JOEL N. WERBEL>
JOHN METHFESSEL, JR.>
FREDRIC PAUL GALLIN*+^
WILLIAM S. BLOOM*>
ERIC L. HARRISON*+
MATTHEW A. WERBEL>
LORI BROWN STERNBACK*+
I. BLAKELEY JOHNSTONE, III*+
GINA M. STANZIALE>
PAUL J. ENDLER JR.>
JAMES P. CULLEN, JR.=^
THOMAS O. MULVIHILL>
JAMES FOXEN^
SARAH K. DELAHANT+
ATHINA L. CORNELL+
JEFFREY R. MERLINO+
JENNIFER A. OSBORNE+
ANDREW J. GIBBS>
JARED S. SCHURE>

Of Counsel
Stephen R. Katzman#
ED THORNTON>
MICHAEL TRIFIOLIS
BETH A. BOLGER+
PAUL E. GRIGGS>
Counsel
STEPHEN G. BRENNER+^
ADAM M. CARMAN+^
SHAJI M. EAPEN+
JOSEPH C. FALK>
ANGELA M. GURRERA>
GERALD KAPLAN>
JARED P. KINGSLEY*+
JOHN R. KNODEL*+
LESLIE A. KOCH=^
CHARLES T. MCCOOK, JR.*>
CHRISTINA MICHELSON+
RICHARD A. NELKE~
STEVEN K. PARNES+
RAINA M. PITTS^
AMANDA J. SAWYER^
STEVEN A. UNTERBURGER+

Associates
EDWARD D. DEMBLING>
KARISHMA DHRUVE>
MICHAEL R. EATROFF>
ERICA FRANCISCO-LAU+
FRANK J. KEENAN+^
SCOTT KETTERER>
JOHN M. MARTIN>
ANTHONY J. MANCUSO>
KAJAL J. PATEL+
ADAM M. SCHWARTZ+
VITTORIA A. SCULCO>
SARAH E. SHEPP+
ALYCIA M. SWIFT+
TIFFANY D. TAGARELLI>

Retired
JOHN METHFESSEL, SR.>
(1935-2017)
DON CROWLEY*+
(1942-2024)
MARC DEMBLING*+
(1944-2022)

*Certified by the Supreme Court of New Jersey as a Civil Trial Attorney
+Member of NY & NJ Bar
^Member of PA & NJ Bar
^Member of NY Bar only
>Member of NJ Bar only
#Member of NJ & LA. Bar
<Member of NJ & DC Bar
≤Member of NJ, NY & CA Bar
≥Member of NJ, PA & DC Bar
~Member of NY, NJ & DC Bar
=Member of NY, NJ & MA Bar

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Further, ACE reserves the right to file a motion to stay discovery as to ACE in light of its pending motion to dismiss.

Next, the issue of whether there will be a jury trial remains unresolved. While Plaintiff did not demand a jury trial in its Amended Complaint, one or more defendants reserved the right to a trial by jury. Lastly, certain of the defendants consent to the Plan with the understanding that they are not waiving their right to file a Motion to Dismiss.

This is the first amendment to the Scheduling Plan. The next scheduled appearance in this matter is June 5, 2025 at 2 p.m. for a post-discovery status conference. Given the consent of the majority of the parties to the short push back of the dates in the current Scheduling Order, it is respectfully requested the Court enter the Amended Scheduling Order.

Respectfully submitted,

METHFESSEL & WERBEL, ESQS.

A handwritten signature in black ink, appearing to read "Shaji M. Eapen", written in a cursive style.

Shaji M. Eapen
eapen@methwerb.com
Ext. 131

SME:kfh/Encl.

cc: All Counsel of Record (via ECF)